

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Charis Jones	Team: Squad #4	CCRB Case #: 202003932	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 06/03/2020 9:00 PM	Location of Incident: Cadman Plaza	Precinct: 84	18 Mo. SOL 12/3/2021	EO SOL 5/4/2022	
Date/Time CV Reported Thu, 06/04/2020 4:51 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Thu, 06/04/2020 4:51 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. An officer			
2. Officers			

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. CCA Jeffrey Maddrey	00000	899501	C A B

Officer(s)	Allegation	Investigator Recommendation
A. An officer	Force: An officer used physical force against § 87(2)(b)	
B. An officer	Abuse: An officer refused to provide his shield number to § 87(2)(b)	
C. Officers	Force: Officers struck § 87(2)(b) with a baton.	

### Case Summary

On June 4, 2020, at 4:51 PM, § 87(2)(b) filed this complaint with the CCRB via web complaint.

On June 3, 2020, at approximately 9:00PM in the vicinity of Cadman Plaza, § 87(2)(b) was protesting in front of a line of police officers. An officer kicked § 87(2)(b) bicycle into him, knocking him into a crowd of people (**Allegation A: Force**, § 87(2)(g)). § 87(2)(b) observed that this officer had his shield number covered (**Allegation B: Abuse of Authority**, § 87(2)(g)). Officers pushed § 87(2)(b) with a baton multiple times in the wrist and arms (**Allegation C: Force**, § 87(2)(g)).

No arrests were made nor any summons issued as a result of this incident.

There is no video evidence regarding this complaint.

### Findings and Recommendations

**Allegation (A) Force: An officer used physical force against § 87(2)(b)**

**Allegation (B) Abuse of Authority: An officer refused to provide his shield number to § 87(2)(b)**

**Allegation (C) Force: Officers struck § 87(2)(b) with a baton.**

### Known facts and general descriptions

§ 87(2)(b) (Board Review 01) testified that he participated in a protest at Cadman Plaza. § 87(2)(b) was located at the front of the protest line with his bicycle. An officer kicked § 87(2)(b) bicycle multiple times. § 87(2)(b) observed that the officer had a band that covered his shield number. § 87(2)(b) fell backwards into other protesters and retreated from the officers. The protesters reformed a line approximately 30 feet behind where § 87(2)(b) initially stood. The officers swung their batons and ran towards the protesters. Officers pushed their batons into § 87(2)(b) chest, right shoulder, right arm, and right hand. § 87(2)(b) walked backwards with his bicycle and resumed marching with other protesters. § 87(2)(b) did not remember where he marched or for how long.

§ 87(2)(b) stated that the subject officer of *Allegations A* and *B* was wearing a white uniform, a hat, and a face shield. § 87(2)(b) provided a photo of this officer (Board Review 02). § 87(2)(b) could not describe the subject officers of *Allegation C*.

### Body Worn Camera

Three BWC requests were submitted to the NYPD Legal Bureau on June 24, 2020, July 2, 2020, and September 25, 2020, asking for all BWC footage related to a protest on “June 3, 2020, at approximately 9:00 p.m. at Cadman Plaza” and involving § 87(2)(b). The NYPD Legal Bureau yielded negative results for BWC footage related to this incident (Board Review 03). In the first request, a search was conducted for “June 3, 2020 between 8:00 p.m. and 10:00 p.m.” for the “location” for officers from five Brooklyn precincts (94<sup>th</sup>, 84<sup>th</sup>, 88<sup>th</sup>, 78<sup>th</sup>, and 76<sup>th</sup>), SRG, CAT, DCU, CRC, CT BUR, CT LMSI, WTC CMD, and BK South and North Narcotics.” This yielded one positive result, which did not capture the incident. In the second request, a search was conducted for the entire day of June 3, 2020, for two officers from the 79<sup>th</sup> Precinct and from 8:30 p.m. to 9:30 p.m. for all of the 79<sup>th</sup> Precinct”. This search yielded negative results. In the third request, the same search parameters for the first in addition to “12 new MOS listed.”

Fourteen additional complaints (CCRB # 202005210, 202004990, 202004772, 202004586, 202004395, 202004165, 202004110, 202004003, 202003966, 202003911, 202003921, 202003901, 202003873, 202005211) that shared the same date, location, and approximate time were filed with

the CCRB. 26 BWC requests were submitted for these complaints. Eight requests returned positive results and 19 BWC recordings were provided to the CCRB. None of the videos captured § 87(2)(b)'s interactions with the officers.

### **NYPD Documents Reviewed**

The investigation obtained the detailed rosters from the 79<sup>th</sup> and 84<sup>th</sup> Precincts and Patrol Borough Brooklyn North (30 pages in total) for the protests on June 3, 2020 (Board Review 04).

TARU footage requests were submitted for five complaints that shared the same date, incident location, and approximate time (CCRB # 202004990, 202004003, 202003966, 202003921, and 202003901). All the requests yielded negative results.

### **Concurrent Investigations**

There are no known concurrent investigations regarding this incident.

On October 1, 2020, Sergeant Salvatore Desiano, of the Internal Affairs Bureau (IAB), confirmed that no concurrent investigation exists for this complaint.

### **Ranking Officers**

The detailed rosters revealed that approximately 19 white-shirted and 134 uniformed officers were deployed to various parts of Brooklyn on June 3, 2020. Of the 19 white shirted officers, nine of them were white males, and out of the 134 uniformed officers, 86 were Hispanic or White males (Board Review 05). None of these officers match the officer in the photograph provided by § 87(2)(b).

Chief Maddrey, the Chief of the Community Affair Bureau, was identified as the highest-ranking officer at the Cadman Plaza protests on June 3, 2020.

### **Officers Interviewed**

On February 12, 2021, the CCRB interviewed Chief Jeffrey Maddrey (Board Review 06). Chief Maddrey was provided with a physical description of § 87(2)(b). Chief Maddrey did not recognize § 87(2)(b) based on the information provided. Chief Maddrey was shown the photograph § 87(2)(b) provided to the investigation (Board Review 02). Chief Maddrey recognized himself in the photo. He did not recognize the other officer depicted in the photo (identified by § 87(2)(b) as the subject officer). Chief Maddrey did not recall seeing any officer push a baton into § 87(2)(b)'s chest nor did he recall seeing any officer cover his shield number. Chief Maddrey did not see any officer kicking bicycles, or kicking any bicycles into protestors, on June 3, 2020. Chief Maddrey did not instruct officers or other supervisors to do this. Chief Maddrey was unaware of any instructions by supervisors on scene regarding the use of baton strikes or using bicycles as weapons. Chief Maddrey did not recall any instance of officers shoving civilians with batons or poking any civilians bicycle wheels with batons.

### **Allegation Recitation and Disposition**

§ 87(2)(g)  
[REDACTED]

**Civilian and Officer CCRB Histories**

- This is the first complaint to which § 87(2)(b) has been a party (Board Review 07).

**Mediation, Civil and Criminal Histories**

- This case was not suitable for mediation due to its association with the 2020 protests against police brutality.
- On March 1, 2021, a Notice of Claim inquiry was sent to the New York City Office of the Comptroller. This will be added to the case upon receipt.
- According to the Office of Court Administration (OCA), § 87(2)(b) has no history of convictions in New York City (Board Review 08).

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Squad No.: 4

Investigator: Charis Jones      Inv. Charis Jones      03/11/2021  
Signature      Print Title & Name      Date

Squad Leader: Raquel Velasquez      IM Raquel Velasquez      03/15/2021  
Signature      Print Title & Name      Date

Reviewer: \_\_\_\_\_  
Signature      Print Title & Name      Date